

PROB 12C
(7/93)

United States District Court
for
District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

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2006 DEC 27 P 3:55

UNITED STATES
DISTRICT COURT
Cr.: 97-00156-012

Name of Offender: Emanuel Tejeiro

Name of Sentencing Judicial Officer: John C. Lifland, USDJ

Date of Original Sentence: 01/30/2003

Original Offense: Money Laundering

Original Sentence: 37 months imprisonment; 3 years TSR

Type of Supervision: Supervised Release

Date Supervision Commenced: 08/04/2005

Assistant U.S. Attorney: Aiden O'Connor

Defense Attorney: Louis Esposito, Esq.

PETITIONING THE COURT

- ☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 The offender has violated the supervision condition which states '**You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.**'

Since being released from the Bureau of Prisons, Tejerio has either tested positive for cocaine usage or admitted to cocaine usage on the following dates: November 2, 2005; March 20, 2006; September 12, 2006; and November 21, 2006.

On November 2, 2005, the offender also tested positive for marijuana.

The Probation Office has determined this conduct constitutes a **Grade C violation**.

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The offender has violated the supervision condition which states '**The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.**'

In October 2005, Tejero was referred to an outpatient drug treatment program at Jersey City Medical Center. The aftercare regimen included weekly urinalysis, as well as individual and group counseling. Once in drug treatment, the offender appeared very reluctant to participate in treatment by reporting late to sessions and/or failing to report/comply with the treatment program. After testing positive for cocaine and marijuana in November 2005, the offender's sessions were increased to three per week. With his second positive test for cocaine, it was concluded that the offender was in need of an inpatient drug program. In October 2006, the offender was referred to Discovery for inpatient treatment. He has failed to enter and complete an inpatient drug treatment program as directed by the Probation Office.

The Probation Office has determined this conduct constitutes a **Grade C violation.**

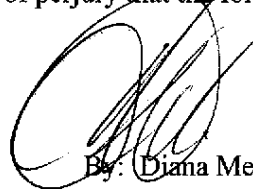
3

The offender has violated the supervision condition which states '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

The offender has failed to submit his monthly supervision reports on a timely basis. The offender has been given verbal reminders as well as written notices in various attempts to bring him into compliance. Additionally, the offender falsified the Monthly Supervision Reports for September 2006 and October 2006 by answering "no" to the following two questions: 1) Did you possess or use any illegal drugs?; and 2) Do you have drug, alcohol, or mental health aftercare?

The Probation Office has determined this conduct constitutes a **Grade C violation.**

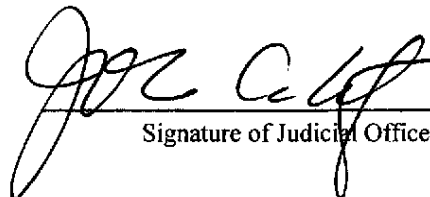
I declare under penalty of perjury that the foregoing is true and correct.



By: Diana Mercado
U.S. Probation Officer
Date: 12/21/2006

THE COURT ORDERS:

- ☒ The Issuance of a Summons. Date of Hearing: 1-8-07 @ 12:00 P.M.
☐ The Issuance of a Warrant
☐ No Action
☐ Other



Signature of Judicial Officer

12/27/06

Date